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a National Banking Association
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re:

Michael I. Fischman and Shoshanna Fishman
Debtors

Chapter 11
Case No. 10-44189-cec

**NOTICE OF APPEARANCE AND DEMAND FOR
SERVICE OF PAPERS AND RESERVATION OF RIGHTS**

PLEASE TAKE NOTICE that the undersigned, on behalf of the secured creditor City National Bank, a National Banking Association, which acquired assets of Imperial Capital Bank from the FDIC as Receiver of Imperial Capital Bank, pursuant to Rules 2002, 3017(a) and 9036 of the Federal Rules of Bankruptcy Procedure and 11 U.S.C. §342 hereby appears on behalf of said parties and demands service of all motions, adversary proceedings, documents, monthly operating reports, all notices given or required in this case and all other papers served in this case be given and served upon:

Harold M. Somer, Esq.
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PLEASE TAKE FURTHER NOTICE that the foregoing demand includes not only notices and papers referred to in the Rules specified above, but also includes without limitation orders and notices of any application, motion, petition, pleading, request, complaint or demand, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, delivery, telephone, electronically or otherwise, in connection with these proceedings.

PLEASE TAKE FURTHER NOTICE that neither this notice nor any later appearance, pleading, claim or suit shall waive any right to have final orders in non-core matters entered only after de novo review by a District Judge; to trial by jury in any proceeding so triable in this case or any case, controversy or proceeding related to this case; to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal; or to any other rights, claims, actions, defenses, setoffs or recoupments to which is or may be entitled under agreements, in law or equity, all of which rights, claims, actions, defenses, setoffs and recoupments are expressly reserved.

Dated: Westbury, New York
June 1, 2010

HAROLD M. SOMER, PC
Attorney for City National Bank

/S/ Harold M. Somer

By: _____
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